



CONFIDENTIAL MEMORANDUM

June 25, 2019

TO: JESSICA KNIELING, INTERIM HR DIRECTOR
DEXTER JOHNSON, LEGISLATIVE COUNSEL

FROM: BRENDA K. BAUMGART

RE: Senator Brian Boquist/Interim Finding & Recommendations

As you know, I have been assigned to handle numerous Rule 27 matters related to Senator Brian Boquist. One of the categories of reports pertains to both Members and staff raising concerns about Senator Boquist's comments on the Senate floor on Wednesday, June 19, 2019, and subsequent media comments. I have reviewed (and watched) these public statements made by Senator Boquist, which include in relevant part:

- A statement on the Senate floor directed to President Courtney: "If you send the State Police to get me, hell is coming to visit you personally."
- A statement to the media directed to the Oregon State Police, "I am quotable, so here is the quote...Send bachelors and come heavily armed. I am not going to be a political prisoner in the State of Oregon, it's just that simple."
<https://twitter.com/PatDooris/status/1141464157574684673>

Senator Boquist's statements are public and irrefutable. On their face, they constitute credible threats of violence directed at the Senate President and the Oregon State Police. These threats of violence directly have caused Members and Branch employees to report concerns, including for the safety and well-being of themselves and others and that they have been subjected to an intimidating and/or hostile work environment. Reports are that people are fearful and scared to come to work. These reports are credible.

Accordingly, and given the gravity of the situation as it pertains to threats of violence in the workplace, I issue an Interim Finding that Senator Boquist's indisputable, public threats of violence violate Rule 27. I recommend immediate measures be taken to ensure that the Capitol is free from threats of (or actual) violence and intimidation. The customary and best practice is to not allow the person who has threatened violence to return to the workplace until the employer

can ensure that employees are safe and the threats will not be carried out or incite others to violence. It would be prudent to take this same approach with Senator Boquist in order to mitigate risk during the pendency of the remainder of the investigation. Senator Boquist also should be advised that applicable law and Rule 27 prohibit him from engaging in any retaliation.



LEGISLATIVE ADMINISTRATION

Employee Services

June 25, 2019

TO: Senate President Courtney
Senator Baertschiger, Senate Republican Leader
Senator Prozanski, Chair Senate Conduct Committee
Senator Knopp, Senate Conduct Committee
Senator Manning Jr., Senate Conduct Committee
Senator Thatcher, Senate Conduct Committee

FROM: Jessica Knieling, Interim HR Director

RE: Interim Finding and Recommendation

Senators,

Today, Legislative Counsel, Dexter Johnson and I received a memo from an outside counsel with an interim finding and recommendation in response to numerous Rule 27 reports and complaints related to Senator Boquist.

The independent investigator issued a finding of a Rule 27 violation by Senator Boquist. The independent investigator further recommended Senator Boquist be removed from the workplace to mitigate risk during the pendency of the remainder of the investigation and advised that applicable law and Rule 27 prohibit him from engaging in retaliation.

Today I spoke with Senator Baertschiger as the highest ranking member of the caucus and advised him of the report and the recommendation. I inquired as to whether there was an opportunity for voluntary compliance. He did not see an opportunity to request voluntary compliance. I advised him I would be forwarding to the Presiding Officer as well as the Senate Conduct Committee.

The independent investigator, Legislative Counsel and Legislative Administration have no authority to implement the independent investigator's recommendations to ensure employees are safe and the threats will not be carried out or incite others to violence. My understanding is that only the full senate can undertake any such action. As such I am providing the interim finding and recommendation to you for your consideration and action.